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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

BROOKE McLAUGHLIN,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

No. C-04-0960 RS

**STIPULATION TO CONTINUE ALL
DATES AND DEADLINES, AND
~~[PROPOSED]~~ ORDER
AS MODIFIED BY THE COURT**

IT IS HEREBY STIPULATED AND AGREED by and between the parties, by and through their respective undersigned attorneys, as follows:

1. All dates and deadlines in this case, including without limitation the deadlines for completion of discovery, the deadlines for expert witness disclosure, the deadlines filing of motions and for submission of pretrial papers, and the trial date, may and should be continued as set forth below. To the extent that this would cause any court appearance to be scheduled for a date or time that the Court would not be available, the parties stipulate that the new date for the court appearance should be the following week.

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Event**Date/Deadline**

Plaintiff's disclosure of experts in compliance with Rule 26(a)(2)	June 9, 2006
Defendant's disclosure of experts in compliance with Rule 26(a)(2)	June 23, 2006
Completion of all (fact and expert) discovery	August 4, 2006
Deadline for hearing any dispositive motion	October 4, 2006
Pretrial Statement Filing Deadline	October 16, 2006
Pretrial Conference	2:30 p.m., October 25, 2006
Trial	9:00 a.m., November 6, 2006

The parties jointly request this continuance due to continued difficulties encountered by the plaintiff in arranging for the deposition of Philip Ratzsch, a witness who counsel believe currently is incarcerated and has been advised by counsel not to testify until certain conditions are satisfied. The parties may need to negotiate some form of immunity relating to Ratzsch in order to obtain his testimony.

In addition, both parties have recently lost counsel. Brett Burlison, who previously represented plaintiff, has left the Cartwright Law Firm and Gary Loftis has recently joined Mr. Cartwright as counsel for plaintiff. Mark St. Angelo, who previously represented defendant, has left the U.S. Attorney's Office and Claire Cormier is taking over the case on behalf of the defendant.

With the exception of the previous order of bifurcation and the changes in dates set forth above, the parties are not requesting that the Court otherwise modify or change the Court's July 14, 2004 Case Management Scheduling Order.

Respectfully submitted,

THE CARTWRIGHT LAW FIRM, INC.

KEVIN V. RYAN
United States Attorney

/s/ Robert E. Cartwright, Jr.
Robert E. Cartwright, Jr.

/s/ Claire T. Cormier
Claire T. Cormier
Assistant United States Attorney

Dated: February 8, 2006

Dated: February 9, 2006

ORDER

PURSUANT TO STIPULATION AND GOOD CAUSE APPEARING, IT IS SO ORDERED AS
MODIFIED.

Date: 2/9/06


Hon. RICHARD SEEBORG
United States Magistrate Judge